

*Wolf Pen
Creek
Design Review
Board*

ORDINANCE NO. 1819

AN ORDINANCE AMENDING ORDINANCE NO. 1638, THE ZONING ORDINANCE FOR THE CITY OF COLLEGE STATION, BY CREATING THE WPC - WOLF PEN CREEK CORRIDOR DISTRICT, DEFINING THE WOLF PEN CREEK DEVELOPMENT CORRIDOR, ESTABLISHING A LIST OF PERMITTED USES, ESTABLISHING A PROJECT REVIEW PROCESS, ESTABLISHING REQUIREMENTS FOR DEDICATION / DEVELOPMENT OF DRAINAGE AND PEDESTRIAN ACCESS IMPROVEMENTS, ESTABLISHING REQUIREMENTS RELATIVE TO FILL MATERIALS, ESTABLISHING DEVELOPMENT STANDARDS FOR PROPERTIES ADJACENT TO THE CREEK AND ESTABLISHING DEVELOPMENT INCENTIVES.

WHEREAS, the Wolf Pen Creek Corridor is a unique area due to the fact that it is predominantly open, undeveloped and in its natural state at this time. It is also an area with drainage, erosion and flooding problems and could be susceptible to more problems if creek modification occurs on a piecemeal basis;

AND WHEREAS, on October 26, 1988, the City Council of the City of College Station adopted the Wolf Pen Creek Master Plan to encourage the public and private use of the creek as an active and passive recreational area and to encourage development within the Corridor;

AND WHEREAS, on December 8, 1988, the City Council formed a tax increment finance district to finance public improvements in the Corridor;

AND WHEREAS, on April 27, 1989, the City Council incorporated the development policies of the Wolf Pen Creek Master Plan in its Comprehensive Plan for development of the City;

AND WHEREAS, the City Council's desire through its Comprehensive Plan and codes and ordinances is to promote the health, safety and welfare of its citizens;

AND WHEREAS, it is the City Council's desire through this ordinance to enhance and preserve property values in this Corridor;

AND WHEREAS, the City Council of the City of College Station, Texas considered the question of adopting this ordinance at the meeting in City Hall at 7:00 p.m. on Thursday, September 14, 1989;

AND WHEREAS, the City Council has determined to adopt this ordinance;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

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7.21 DISTRICT WPC WOLF PEN CREEK DEVELOPMENT CORRIDOR

The Wolf Pen Creek Development Corridor is defined by the metes and bounds description found in the attached Exhibit A.

A. PURPOSE: This district is designed to encourage development in a predominantly open and undeveloped area with drainage, erosion and flooding problems. It is designed to encourage the public and private use of Wolf Pen Creek as an active and passive recreational area while maintaining an appearance consistent with the Wolf Pen Creek Master Plan. Development should enhance and preserve property values in the Corridor.

B. USES

The following uses are permitted:

- Retail Sales & Services with no outside storage of merchandise
- Personal Services
- Cleaners with no on-premise cleaning (drop off & pick up only)
- Professional Offices
- Financial Institutions
- Photographer's Studios
- Travel Agencies or Tourist Bureaus
- Art Galleries
- Music or Dance Studios
- Restaurants
- Hotels/Motels
- Night Clubs, Taverns, Bars
- Theaters or Motion Picture Houses
- Arenas or Coliseums
- Apartments built under the restrictions of the R-6 zone

Other uses may be allowed as conditional uses by the Planning & Zoning Commission upon recommendation by the Design Review Board.

C. REVIEW PROCESS

All development projects proposed within the corridor shall be reviewed by the Design Review Board (DRB). The DRB shall be a body appointed by the City Council and shall consist of (1) one registered architect, (2) one business person, (3) one member knowledgeable in aesthetic judgment (4) one landowner or developer in the Wolf Pen Creek Corridor and the voting members of the Project Review Committee, being a committee established by the City's Zoning Ordinance. The DRB shall be supported by the same technical staff as the

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Project Review Committee. The initial term of office shall be two years for the business person and the architect and three years for the expert in aesthetic judgment and the landowner. All terms thereafter shall be for three years.

The DRB, in reviewing each proposal, shall consider the City's land use and development codes, the Wolf Pen Creek Corridor Study and Master Plan, and the standards and policies herein provided. Standards and policies herein take precedence over other applicable codes and ordinances where conflict exists.

The following factors and characteristics, which affect the appearance of a development, will govern the Design Review Board's evaluation of a design submission:

Conformance to the City's land use and development codes and this ordinance.

Logic of design.

Exterior space utilization.

Architectural character.

Attractiveness.

Material selection.

Harmony and compatibility.

Circulation - vehicular and pedestrian.

Maintenance aspects.

The DRB shall make recommendation to the Planning & Zoning Commission regarding each proposal for development in this district.

Appeals from decisions of the Planning & Zoning Commission shall be to the City Council. Applicants appealing must do so in writing and within 10 days of the Planning & Zoning Commission's decision. Appeals shall be submitted to the office of the City Secretary. The City Secretary's office shall schedule a hearing of the appeal before the Council within 30 days from receipt of the letter of appeal.

D. REQUIREMENTS FOR DEDICATION/DEVELOPMENT OF DRAINAGE AND PEDESTRIAN ACCESS WAYS

The developer shall preserve the natural setting of the creek while conveying the 100-year flood waters of the fully developed Wolf Pen watershed in a natural appearance. No channel of concrete or similar material shall be allowed.

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The developer or property owner may reclaim the flood fringe subsequent to reclamation plans approved by the City Engineer. Flood fringe areas not reclaimed by the developer may be acquired by the City through dedication or purchase at market value for flood plain land.

The floodway and the minimum reservation line as defined in the Wolf Pen Creek Master Plan shall be indicated on the site plan. Upon development of the property and at the option of the developer the floodway and the minimum reservation line shall either be dedicated to the City for drainage and public open space use or be improved by the developer to conform with the standards of the Development Corridor which may include, but not be limited to (a) cleaning and removal of brush; (b) bank stabilization; (c) erosion control; (d) no extensive channel work; and (e) pedestrian walkways, lighting and access easements. A plan for the improvement of this area shall be approved by the Planning & Zoning Commission based on the recommendation of the Design Review Board. Cross sections as shown in the Wolf Pen Creek Master Plan shall be used in designing improvements unless otherwise approved by the P&Z. If developed privately the developer or property owner may submit the improvements to City for dedication and, if accepted, the City will maintain those facilities to the same standards as public development along the creek.

E. DEVELOPMENT OF PROPERTIES IN THE CORRIDOR

Criteria have been developed to establish a checklist of those items that affect the physical aspect of the environment of the Wolf Pen Creek Corridor. Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects that are observed by the public.

These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles, which can result in creative solutions that will develop a satisfactory visual appearance within the city, preserve taxable values, and promote the public health, safety, and welfare.

In order to create and then preserve a distinctive atmosphere and character in the Wolf Pen Creek Development Corridor the following elements shall be considered in the review of all projects and proposals for development:

Lighting:

On-site lighting shall be positioned to reduce glare and undesirable light. A listing of acceptable fixtures and lights will be made available and will be those typical

fixtures and lights used by the City's Parks and Recreation Department. Sodium lights shall not be installed or used in the Wolf Pen Creek Corridor. Lighting to provide security or crime prevention or as a requirement for insurance shall be allowed.

Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.

Garbage:

On-site garbage collection points shall be identified on the site plan. Owners shall be encouraged in the joint use of property garbage collection agreements. Collection points may also act as vehicular access points for park maintenance vehicles.

Building service areas and garbage collection points shall be screened from the creek corridor, trail system, parking areas, and dedicated streets and shall not be within 20 feet of the minimum reservation line. Screening shall consist of living plant materials.

Utility Service:

All new utility services or upgrading of existing services shall be installed underground by the developer according to City standards.

Relationship of Buildings to Site:

The site shall be planned to accomplish a desirable transition with the streetscape and to provide for adequate planting, safe pedestrian movement, and parking areas.

Site planning in which setbacks and yards are in excess of zoning restrictions is encouraged to provide an interesting relationship between buildings.

Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways.

The height and scale of each building shall be compatible with its site and existing (or anticipated) adjoining buildings.

Setbacks shall meet those of the C-1 General Commercial district for all commercial uses.

Relationship of Buildings and Site to Adjoining Area:

Adjacent buildings of different architectural styles shall be made compatible by such means as screens, sight breaks, and materials.

Attractive landscape transition to adjoining properties shall be provided.

Harmony in texture, lines and masses is required. Monotony shall be avoided.

Joint vehicular access agreements from dedicated streets are encouraged and may be required by the P&Z upon recommendation of the DRB.

Park access easements for vehicular and pedestrian traffic shall be indicated on the site plan.

Elevation drawings showing the side of the building facing the park space shall be provided at the DRB meeting.

Building Design:

Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.

Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partly visible from public ways.

Materials shall be of durable quality.

In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.

Building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationships to one another.

Colors shall be harmonious and shall use only compatible accents.

Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways.

Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent a monotonous appearance.

Landscaping:

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures. In addition to the requirements of Section 11 all landscaping shall meet the following:

Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.

Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.

Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axes, and provide shade.

Unity of design shall be achieved by repetition of certain plant varieties and other materials and by correlation with adjacent developments.

Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design and of good appearance shall be used.

In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.

Parking areas and traffic ways shall be enhanced with landscaped spaces containing trees or tree groupings.

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Where building sites limit planting, the placement of trees in parkways or paved areas is encouraged.

Screening of service yards and other places that tend to be unsightly shall be accomplished by use of walls, fencing, planting, or combinations of these. Screening shall be equally effective in winter and summer.

In areas where general planting will not prosper, other materials such as fences, walls, and pavings of wood, brick, stone, gravel, and cobbles shall be used. Carefully selected plants shall be combined with such materials where possible.

Signs:

Commercial projects shall follow the requirements of the C-1 General Commercial District in Section 12 and multi-family projects shall follow the requirements of Apartment I.D. signs in Section 12 in addition to meeting the following:

Every sign shall be designed as an integral architectural element of the building and site to which it principally relates.

Every sign shall have good scale and proportion in its design and in its visual relationship to buildings and surroundings.

The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates.

The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.

Each sign shall be compatible with signs on adjoining premises and shall not compete for attention.

Identification signs of a prototype design and corporation logos shall conform to the criteria for all other signs.

Miscellaneous Structures and Street Hardware:

Miscellaneous structures and street hardware shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.

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Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.

Maintenance:

Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.

Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided.

Major maintenance activities that occur after a project is complete shall be reviewed by the Design Review Board. These activities include any exterior painting other than minor touch-up, replacement of light fixtures or standards, major fence or landscape work or replacement. The intent here is to insure that the development standards of this ordinance are maintained throughout the life of a project.

F. DEVELOPMENT INCENTIVES

1. Incentives For Creek Orientation

The following incentives may be awarded for developments adjacent to the creek which orient a facade (comparable in design and materials to the front facade) to the floodplain and have pedestrian access to the trail system. The Planning & Zoning Commission shall determine appropriate use of incentives.

(a). Parking Standards

All standards and requirements relative to the required number of parking spaces and the dimensions and location of parking spaces and islands shall be as required by the City's Zoning Ordinance except as herein provided upon approval of the Planning & Zoning Commission.

1. A raised island, not less than six (6) inches in height and not less than four (4) feet in width shall separate public right-of-way from parking areas.

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2. A raised island, not less than six (6) inches in height and encompassing not less than ninety (90) square feet in area with a bottom contiguous with existing soil, shall be located between every twenty-five (25) parking spaces in peripheral parking rows.

3. A raised island, not less than six (6) inches in height and encompassing not less than one hundred and eighty (180) square feet in area with a bottom contiguous with existing soil, shall be located at both ends of every double parking row regardless of the length of said row.

4. Islands are required at the ends of every other single interior parking row. There is no limit to the length of a single or double interior parking row.

5. Medians, wheelstops or other treatments may be required within parking lots to discourage cross traffic movements and for traffic safety.

6. For any use, building or structure where the required off-street parking cannot be provided on the premises because of size or location of the lot or building plot, such parking may be provided on other property under the same ownership whether in fee simple or through a perpetual easement not more than three hundred and fifty (350) feet distant from the building site, provided that the proposed parking area is located in a district where parking lots are permitted for that use.

7. A developer may provide up to 25% of the total parking requirement using compact car spaces. These spaces shall be a minimum of 7.5 feet wide by 16 feet deep. The location of such spaces shall be noted on the site plan.

8. The parking requirement for banks, day care centers, offices and personal services shall be one space per 275 square feet. The parking requirement for medical and dental offices shall be one space per 200 square feet.

9. The joint use or sharing of parking facilities is encouraged and shall be allowed based on consideration of the types of facilities sharing and the hours of operation of each.

(b). Signs

An additional identification sign oriented to the creek may be allowed for projects oriented to the creek. Signs oriented to the creek shall not exceed sixteen (16) square feet in area, four (4) feet in height or six (6) feet in length. Such signs may be indirectly lighted from ground lighting and shall be no closer to the creek than the minimum reservation line.

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No freestanding sign (except as allowed above) shall be located within the half of the site closest to the creek.

2. Incentives For Property Dedication

For developments where the minimum reservation has been dedicated the following incentives may be applied:

(a). Setbacks

The property dedication line may act as the rear building line. Elevated decking is allowed into the dedicated property as approved by the P&Z. This does not permit filling in the dedicated property.

(b). Landscaping

Point requirements shall be calculated based upon the total site area exclusive of the dedicated area while point credit shall be given for approved trees in the dedicated area. Landscaping materials in the half of the site closest to the creek may account for up to 75% of the total point requirement. The total canopy tree requirement may be met within the half of the site closest to the creek.

(c). Signs

Business identification signs located within the dedicated park area will be provided by the City upon its development of the park elements within the dedicated area.

G. FILL MATERIALS

Fill materials must be placed or stored in accordance with a site plan approved by the Design Review Board.

Fill must not be placed over existing utility lines without permission of the City of College Station.

Fill must not be stored or placed under the driplines of any tree three inches (3") or greater in caliper.

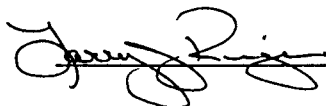
Stored fill materials must be maintained in an aesthetically pleasing manner.

Materials may be hauled in or excavated for lake construction.


This ordinance shall become effective from and after its passage in accordance with the City Charter of the City of College Station.

PASSED, ADOPTED AND APPROVED this 14th day of September, 1989

APPROVED:

 Larry J. Ringer

ATTEST:


City Secretary, Dian Jones

005725

EXHIBIT A

A DESCRIPTION OF THE PROPOSED WPC - WOLF PEN CORRIDOR DISTRICT

Beginning at the East corner of Lot 5 Block 2 Woodstock Section One, a subdivision in College Station, Texas the plat of which is filed in the Brazos County Deed Records, Brazos County, Texas in Volume 436 Page 481.

Thence South 47 degrees 51 minutes 11 seconds East, 853.82 feet.

Thence North 42 degrees 19 minutes 40 seconds East, 1329.19 feet.

Thence North 50 degrees 36 minutes 15 seconds East, 411.55 feet.

Thence North 42 degrees 10 minutes 59 seconds East, 351.54 feet.

Thence South 30 degrees 40 minutes 49 seconds East, 1419.92 feet.

Thence South 55 degrees 27 minutes 50 seconds West, 435.87 feet.

Thence South 42 degrees 03 minutes 53 seconds West, 200.00 feet.

Thence North 47 degrees 56 minutes 07 seconds West, 323.02 feet.

Thence South 42 degrees 03 minutes 53 seconds West, 375.37 feet.

Thence South 47 degrees 56 minutes 07 seconds East, 93.21 feet.

Thence South 42 degrees 03 minutes 52 seconds West, 881.23 feet.

Thence South 35 degrees 00 minutes 18 seconds West, 513.51 feet.

Thence around a curve with a radius of 600 feet whose chord has a bearing of South 38 degrees 0 minutes 42 seconds West and a distance of 146.65 feet.

Thence South 45 degrees 01 minutes 53 seconds West, 350.52 feet.

Thence around a curve with a radius of 940.57 feet whose chord has a bearing of South 58 degrees 28 minutes 27 seconds West and a distance of 437.49 feet.

Thence North 23 degrees 36 minutes 03 seconds West, 373.99 feet.

Thence around a curve with a radius of 1139.58 feet whose chord has a bearing of North 21 degrees 3 minutes 6 seconds West and a distance of 101.97 feet.

Thence North 18 degrees 26 minutes 42 seconds West, 662.99 feet.

Thence South 42 degrees 51 minutes 58 seconds West, 480.46 feet.

Thence North 48 degrees 12 minutes 52 seconds West, 746.80 feet.

Thence around a curve with a radius of 1005.00 feet whose chord has a bearing of South 54 degrees 2 minutes 39 seconds West and a distance of 431.59 feet.

Thence South 41 degrees 39 minutes 07 seconds West, 2346.52 feet.

Thence North 49 degrees 12 minutes 44 seconds West, 1287.82 feet.

Thence North 42 degrees 27 minutes 37 seconds West, 3594.99 feet.

Thence South 47 degrees 32 minutes 59 seconds East, 1213.58 feet.

Thence North 42 degrees 27 minutes 01 seconds East, 809.01 feet to the Point of Beginning and containing 222.47 ACRES more or less.